

DEC 07 2010

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

DAVID KWON,

Plaintiff,

V.

GENE JOHNSON,

Defendant.

Case No. 7:10CV00506

FINAL ORDER

By: Glen E. Conrad
Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this civil action is **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915A(b)(1), for failure to state a claim, and the action is stricken from the active docket of the court.

ENTER: This 7th day of December, 2010.

Isaac Combs

Chief United States District Judge